

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, October 4, 2012

10:00 AM

Board Room

Board of Commissioners

Commissioner Michael A. Alvarez, Commissioner Frank Avila, Commissioner Patricia Horton, Vice- President Barbara J. McGowan, Commissioner Kathleen Therese Meany, Chairman of Finance Cynthia M. Santos, Commissioner Debra Shore, Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 9 - Michael A. Alvarez; Frank Avila; Patricia Horton; Barbara J. McGowan; Kathleen Therese Meany; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

Approval of Previous Board Meeting Minutes

A motion was made by Debra Shore, seconded by Frank Avila,, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee of the Whole

A motion was made by Debra Shore, seconded by Frank Avila, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 12:10 p.m. President O'Brien reconvened the regular board meeting to order

Finance Committee**Report**

- 1 [12-1322](#) Report on Cash Disbursements for the Month of August 2012, in the amount of \$44,296,564.56

Attachments: [12-1322 August 2012 M003 FI_FM Report](#)

Published and Filed

Authorization

- 2 [12-1319](#) Authority to add Project 12-750-21, Furnish, Deliver, and Install Doors, Frames and Hardware at the Hanover Park Water Reclamation Plant, to the Construction Fund, estimated cost of the project is \$25,000.00.

Approved

- 3 [12-1320](#) Authority to add Project 12-751-21, Furnish, Deliver, and Install Gate Access Control Systems at the Egan and Kirie Water Reclamation Plants, to the Construction Fund, estimated cost of the project is \$435,000.00.

Approved

- 4 [12-1323](#) Request Authority to Dispose of District Records

Attachments: [Record Retention 10-04-2012](#)

Approved

Procurement Committee

Report

- 5 [12-1334](#) Report of bid opening of Tuesday, September 25, 2012

Published and Filed

- 6 [12-1373](#) Report of bid opening of Tuesday, September 18, 2012

Published and Filed

Authorization

- 7 [12-1365](#) Authorization for payment to the Water and Wastewater Leadership Center for tuition fees for six (6) senior managers to attend an 11-day Residential Leadership Development program in an amount not to exceed \$76,500.00, Account 101-25000-601170

Approved

- 8 [12-1370](#) Authorization to enter into an agreement for Contract 12-RFP-26 Pharmacy Benefits Management Services, with Envision Pharmaceutical Services, Inc. for a three and one half year period, effective January 1, 2013 to June 30, 2016, Account 101-25000-601250

Deferred by Barbara J. McGowan

- 9 [12-1376](#) Authorization to amend Board Order of June 21, 2012, regarding Authority to advertise Contract 12-652-11 Furnishing and Delivering Manhole Frames and Covers to Various Service Areas, estimated cost 90,022.00, Accounts 101-67000/6800/69000-623300, Requisitions 1339939, 1343696 and 1343709, Agenda Item No. 13, File No. 12-0900.

Approved

Authority to Advertise

- 10 [12-1332](#) Authority to advertise Contract 13-003-11 Furnish and Deliver Laboratory Disposable Gloves and Flexible Tubing to Various Locations for a One (1) Year Period, estimated cost \$70,500.00, Account 101-20000-623570

 Approved
- 11 [12-1333](#) Authority to advertise Contract 13-001-11 Furnish and Deliver Lumber, Plywood and Nails to Various Locations for a One (1) Year Period, estimated cost \$65,000.00, Accounts 101-20000-623110, 623130

 Approved
- 12 [12-1335](#) Authority to advertise Contract 13-021-11 Furnish and Deliver Unleaded Gasoline to Various Locations for a One (1) Year Period, estimated cost \$400,000.00, Accounts 101-20000, 66000-623820 Requisitions 1348162 and 1348163

 Approved
- 13 [12-1351](#) Authority to advertise Contract 13-866-11 Security Services at the Prairie Plan Site in Fulton County, Illinois, estimated cost \$200,000.00, Account 101-68000-612490, Requisition 1341469

 Approved
- 14 [12-1355](#) Authority to advertise Contract 12-689-21 Furnish and Deliver Wheel Loaders to LASMA, estimated cost \$1,000,000.00, Account 201-50000-634760, Requisition 1348858

 Approved
- 15 [12-1360](#) Authority to advertise for public tender of bids for the sale of an approximately 11,544± square feet of Metropolitan Water Reclamation District of Greater Chicago ("District") land located north of McCormick Boulevard and south of Simpson Street in Evanston, Illinois (divided into four (4) small lots) consistent with the abutting residential lots and the minimum established bid price of each sub-divided parcel shall be established as follows: Parcel A \$16,062.00, Contract 11-363-12 (Re-Bid), Parcel B \$7,662.00, Contract 11-364-12 (Re-Bid), Parcel C \$10,020.00, Contract 11-365-12 (Re-Bid), and Parcel D \$35,820.00, Contract 11-366-12 (Re-Bid)

 Attachments: [Map.Parcels A-D.pdf](#)

 Approved
- 16 [12-1366](#) Authority to advertise Contract 13-103-11 Furnish and Deliver Lab Supplies, Glassware and Chemicals for Various Locations, estimated cost \$187,500.00, Account 101-16000-623570, Requisition 1344023

 Approved

- 17 [12-1377](#) Authority to advertise Contract 12-751-21 Furnish, Deliver, and Install Gate Access Control Systems at Egan and Kirie Water Reclamation Plants, estimated cost \$435,000.00, Account 201-50000-645680, Requisition 1346214

Approved

- 18 [12-1379](#) Authority to advertise Contract 12-449-11 Furnish and Deliver Videoconference Equipment and Accessories, estimated cost \$122,320.00, Accounts 101-27000-60110, 623520, 623810, 623850, and 634840, Requisitions 1349280 and 1349281

Approved

Issue Purchase Order

- 19 [12-1368](#) Issue purchase order for Contract 12-703-21, Furnish and Deliver a Gas Detection System to the Hanover Park Water Reclamation Plant, to Lai, Ltd., in an amount not to exceed \$64,675.00, Account 201-50000-645780, Requisition 1335452

Approved

- 20 [12-1369](#) Issue purchase order and enter into an agreement with Environmental Systems Research Institute, Inc. for an ESRI Enterprise License Agreement for a period of three years, in an amount not to exceed \$1,095,000.00, Account 101-27000-612820, Requisition 1349278

Approved

- 21 [12-1378](#) Issue a purchase order and enter into agreement with YSI, Inc. to Provide Telemetry Equipment and Services for the EcoNet Data Telemetry Package for the Waterways Control Room, in an amount not to exceed \$11,634.52, Account 101-66000-612210, Requisition 1345339

Approved

Award Contract

- 22 [12-1336](#) Authority to award Contract 11-188-2M, Elevator Upgrades at North and South Pump Houses, Main Stream Pumping Station, to Parkway Elevators, Inc., in an amount not to exceed \$474,679.00, Account 201-50000-645750, Requisition 1341454

Attachments: [APP D 11-188-2M.pdf](#)

Approved

- 23 [12-1371](#) Authority to award Contract 12-705-21, Furnish, Deliver and Install Two Sodium Bisulfite Storage Tanks at the Egan Water Reclamation Plant, to Meccon Industries, Inc., in an amount not to exceed \$87,500.00, Account 201-50000-645680, Requisition 1341785
- Approved**
- 24 [12-1372](#) Authority to award Contract 12-680-11, Roof Repair Services at Stickney Water Reclamation Plant and Outlying Areas, to Trinity Roofing Services, Inc., for an amount not to exceed \$54,899.00, Account 101-69000-612680, Requisition 1337522
- Approved**
- 25 [12-1374](#) Authority to award Contract 12-646-51, Small Streams Maintenance in Cook County, Illinois, Group A to J & L Contractors, Inc., in an amount not to exceed \$2,113,675.00, and Group B to Thornton Equipment Services, Inc., in an amount not to exceed \$2,357,150.00, Account 501-50000-612620, Requisition 1333092
- Attachments:** [app d group a 12-646-11.pdf](#)
 [app d group b 12-646-11.pdf](#)
- Approved**
- 26 [12-1375](#) Authority to award Contract 12-963-11, Pavement Repairs in the Stickney, LASMA, and Outlying District Service Areas, Group B, to Chicagoland Paving Contractors, Inc., in an amount not to exceed \$195,813.70, Accounts 101-69000-612420, Requisition 1337542
- Attachments:** [app d 12-963-11.pdf](#)
- Approved**

Increase Purchase Order/Change Order

- 27 [12-1326](#) Authority to increase purchase order with Baker Tilly Virchow Krause, LLP, for 09-RFP-19, for Professional Auditing Services for the fiscal year ending December 31, 2012, in an amount of \$245,900.00, from an amount of \$459,700.00, to an amount not to exceed \$705,600.00, Account 101-40000-601170 and P802-11000-798200, Purchase Order 3064315
- Attachments:** [Change Order 3064315](#)
- Approved**

Budget & Employment Committee

Authorization

- 28 [12-1340](#) Authority to transfer 2012 departmental appropriations in the amount of \$1,000,000.00 in the Construction Fund

Attachments: [10.04.12 Board Transfer BF5.pdf](#)

Approved

Judiciary Committee

Authorization

- 29 [12-1331](#) Authority to settle the Workers' Compensation Claims of Thomas Klein vs. MWRDGC, Case Nos. 03 WC 3912, 03 WC 35126, and 03 WC 35127, Illinois Workers' Compensation Commission (IWCC), in the sum of \$150,000.00. Account 901-30000-601090

Approved

- 30 [12-1338](#) Authority to settle the Workers' Compensation Claim of William Kelly vs. MWRDGC, File No. 200004454, Illinois Workers' Compensation Commission (IWCC), in the sum of \$54,659.93. Account 901-30000-601090

Approved

- 31 [12-1350](#) Authority to amend Board Order of August 9, 2012 authorizing payment of relocation expenses in an amount of \$8,134.20 in the eminent domain lawsuit entitled The Metropolitan Water Reclamation District v. Adrian Cangas, et al., Case No. 10 L 50565 in the Circuit Court of Cook County to acquire fee simple title to property comprising 0.28+/- acres located at 16760 State Street in Thornton, Illinois, for the Thornton Composite Reservoir, Contract 77-235-2F to reflect payment of \$6,416.00 to Adrian Cangas and \$1,718.20 to Land Acquisitions, Inc., Account 501-50000-656010

Approved

- 32 [12-1364](#) Authority to Settle Lexington Insurance Co. a/s/o First Group America, Inc. a/s/o California Public Employees Retirement System and First Group America, Inc. v. Metropolitan Water Reclamation District of Greater Chicago, 12 L 6637, in the amount of \$210,689.00, relating to the June 14, 2011 Thornton Drop Shaft Explosion, Account 901-30000-667220 (*As Revised*)

Approved

Maintenance & Operations Committee

- 33 [12-1382](#) Authorization to amend Board Order of April 5, 2012, regarding Declaration of an emergency for repair and structural lining of Salt Creek No. 3 Intercepting Sewer, Agenda Item No. 93, File ID No. 12-0564

Approved

Monitoring & Research Committee

- 34 [12-1381](#) Authority to negotiate and execute an amendment to the agreement between the Fox River Water Reclamation District and the Metropolitan Water Reclamation District of Greater Chicago to accommodate transfer of user charges collected from industrial facilities in the Poplar Creek Service Basin
- Approved

Real Estate Development Committee

Authorization

- 35 [12-1317](#) Authority to amend Board Order of April 5, 2012, authorizing the District to enter into a 39-year lease agreement with the Mount Prospect Park District for the continued use of approximately 22.441 acres of improved District real estate located east of Elmhurst Road and south of the James C. Kirie Water Reclamation Plant in Des Plaines, Illinois, and known as Majewski Metro Park for public recreational purposes to reflect the correct leasehold size of 34.239 acres

Attachments: [10-04-12_MPPD.pdf](#)

Approved

- 36 [12-1318](#) Authority to amend Lease Agreement dated November 16, 2000, between the District and the Village of Lemont on 85+/- acres of real estate located south of the Chicago Sanitary & Ship Canal, east of the Lemont Heritage Quarry in Lemont, Illinois and known as Main Channel Parcels 24.05 and 25.02 to add an additional 14.50 acres known as Main Channel Parcel 25.01 for a total leasehold area of 99.50 acres. Consideration shall be \$10.00

Attachments: [10-04-12_Village of Lemont.pdf](#)

Approved

- 37 [12-1346](#) Authority to issue a 5-month permit to Putnam Township Road Commission to use a 400' x 50' area of District real estate along the southern border of Field 120, in Fulton County, to replace the Blackaby Cemetery fence. Consideration is a nominal fee of \$10.00

Attachments: [Map.Blackaby.pdf](#)

Approved

- 38 [12-1347](#) Authority to issue a 2-year permit to CH2M Hill Engineers, Inc. to access District real estate along the Des Plaines River, Sanitary & Ship Canal, and Illinois & Michigan Canal, from approximately 1/2 mile west of Lemont Road in Lemont to Cicero Avenue in Stickney, to conduct soil borings, surveying and other site-related activities for design work under Contract 10-716-3P, "Lemont Pumping Station, Force Mains, Reservoir, and Wet Weather Treatment Facility". Consideration shall be a nominal fee of \$10.00

Attachments: [Map.Contract 10-716-3P.pdf](#)

Approved

- 39 [12-1348](#) Authority to issue a 2-year permit extension to CH2M Hill, Inc. to access District real estate along the Des Plaines River, Sanitary & Ship Canal, and Illinois & Michigan Canal, from approximately 1/2 mile west of Lemont Road in Lemont to Cicero Avenue in Stickney, to conduct soil borings, surveying and other site-related activities for design work under Contract 05-711-3P, "Wet Weather Reservoir, Lemont Water Reclamation Plant". Consideration shall be a nominal fee of \$10.00

Attachments: [Map.Contract 05-711-3P.pdf](#)

Approved

- 40 [12-1349](#) Authority to amend Lease Agreement dated May 1, 1997, between the District and the Village of Lemont on approximately 0.53 acres located on the southwest corner of the District's Lemont Water Reclamation Plant property, Main Channel Parcel 23.11, to include approximately 19,000 sq. ft. of additional land and to remove approximately 950 sq. ft. of land, for a new total leasehold area of 0.97 acres. Consideration is a nominal fee of \$10.00

Attachments: [Map.Parcel 23.11 Village of Lemont.pdf](#)

Approved

- 41 [12-1352](#) Authority to issue a 2-month permit to Lakes & Rivers Contracting, Inc., to access District real estate known as Main Channel Parcels 35.02 and 37.03 located west of Harlem Avenue in Forest View, Illinois to improve the Harlem Avenue Bridge. Consideration shall be a document preparation fee of \$2,500.00

Attachments: [Map.Lakes & Rivers Parcels 35.02 & 37.03.pdf](#)

Approved

- 42 [12-1354](#) Authority to enter into 39-year lease agreement with the Chicago Park District on approximately 10.6 acres of District real estate located at the intersection of 134th Street and the Calumet River, east of the O'Brien Locks in Chicago, Illinois, for public recreational purposes. Consideration shall be a nominal fee \$10.00

Attachments: [Map.CPD 134th & Calumet River.pdf](#)

Approved

- 43 [12-1356](#) Authority to issue a 45-day permit to the Village of Hanover Park to perform soil borings on an approximately 23-acre parcel of District real estate located within the Hanover Park Water Reclamation Plant premises north of Walnut Avenue. Consideration shall be \$10.00

Attachments: [Map.HP Walnut Avenue.pdf](#)

Approved

- 44 [12-1357](#) Authority to commence statutory procedures to lease approximately 51.44 acres of real estate located south of the Main Channel and known as the Lemont Heritage Quarry in Lemont; Main Channel Parcels 24.03 & 24.06

Attachments: [Map.Lemont Heritage Quarry Parcels 24.03 & 24.06.pdf](#)

Approved

- 45 [12-1361](#) Authority to issue a 7-month permit to the City of Evanston to use an approximately 200' x 75' portion of North Shore Channel Parcel 4.05 located between Oakton and Main Streets on the east side of the North Shore Channel in Skokie, Illinois, as a construction staging area for a sewer lining project. Consideration shall be a nominal fee of \$10.00

Attachments: [Map.Parcel 4.05.pdf](#)

Approved

- 46 [12-1367](#) Consent to the City of Chicago's early surrender of its 39-year lease agreement on approximately 10.6 acres of District real estate located at the intersection of 134th Street and the Calumet River, east of the O'Brien Locks in Chicago, Illinois, for public recreational purposes. Consideration shall be a nominal fee \$10.00

Attachments: [10-04-12_Hegewisch Marsh - City of Chicago.pdf](#)

Approved

Miscellaneous and New Business

Resolution

- 47 [12-1267](#) RESOLUTION sponsored by the Board of Commissioners recognizing the Cosmopolitan Chamber of Commerce's 44th Annual "Evening With Friends" Awards Gala
- A motion was made by Barbara J. McGowan, seconded by Kathleen Therese Meany, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays**

Additional Agenda Items

- 48 [12-1383](#) MOTION
- A motion was made by Cynthia M. Santos, seconded by Patricia Horton, that this Motion be Adopted. The motion carried by the following roll call vote:**
- Aye:** 6 - Michael A. Alvarez, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Terrence J. O'Brien
- Nay:** 3 - Frank Avila, Debra Shore, Mariyana T. Spyropoulos
- 49 [12-1385](#) MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Beverly Sanders Turner
- Adopted**
- 50 [12-1386](#) MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Melvin A. Davis
- Adopted**
- 51 [12-1387](#) Authorize the General Counsel to commence negotiations with the Village of Lemont for a lease of 27 acres of real estate located south of the Main Channel and west of Lemont Road in Lemont, IL; Main Channel Parcel 23.04 for public recreational use
- Attachments:** [Map.Parcel 23.04.pdf](#)
- Approved**

Approval of the Consent Agenda with the exception of Items: 8, 47, and 48

- A motion was made by Cynthia M. Santos, seconded by Kathleen Therese Meany, to Approve the Consent Agenda. The motion carried by the following roll call vote:**
- Aye:** 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Meeting Summary

Speakers

Carnice Carey, Cosmopolitan Chamber of Commerce, accepted the resolution recognizing the 44th Annual "Evening with Friends" Awards Gala (Re: Miscellaneous & New Business Item #47)

George Blakemore, concerned citizen, voiced concerns (Re: Miscellaneous & New Business Item #48)

Summary of Requests

David St. Pierre

1. Barbara J. McGowan will submit a list of questions to be answered and recommended the Board Members do the same (Re: Procurement Item #8)

Ron Hill

2. Mariyana T. Spyropoulos inquired if the lease could be amended for the use of District biosolids (Re: Real Estate Item #35)

Study Session

A Study Session is tentatively scheduled for the Committee on Stormwater Management on Thursday, October 11, 2012 at 10:00 a.m. at 100 E. Erie, Chicago Illinois. The purpose of the Study Session is to discuss Stormwater Management.

A Study Session is tentatively scheduled for the Committee on Industrial Waste & Water Pollution on Thursday, October 18, 2012 at 2:00 p.m. at 100 E. Erie, Chicago Illinois. The purpose of the Study Session is to discuss the User Charge Ordinance.

A Study Session is tentatively scheduled for the Committee on Affirmative Action on Thursday, October 25, 2012 at 10:00 a.m. at 100 E. Erie, Chicago Illinois. The purpose of the Study Session is to discuss the Disparity Study.

A Study Session is tentatively scheduled for the Committee on Pension, Human Resources & Civil Service on Thursday, October 25, 2012, immediately following the previous study session at 100 E. Erie, Chicago Illinois. The purpose of the Study Session is to discuss the Health and Wellness Program.

Announcements

None

Board Letter Submission Dates

The next regular board meeting is scheduled for October 18, 2012, please prepare and submit Board items before the following absolute cutoff dates.

**Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: October 5, 2012
Date agenda items are due to the Executive Director for signature and preparation: October 8, 2012
Date all agenda items are due to the Executive Director: 1:00 p.m., October 10, 2012**

Adjournment

A motion was made by Patricia Horton, seconded by Cynthia M. Santos, that when the Board adjourns it adjourns to meet on Thursday, October 18, 2012, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this October 4, 2012, are hereby approved.

APPROVED:

/s/ Terrence J. O'Brien

President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

October 4, 2012